

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the remarks herewith, which place the application into condition for allowance.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-7 are currently pending. Claims 1-7 are independent.

II. REJECTIONS UNDER 35 U.S.C. §103

Claims 1-7 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 7,062,579 to Tateyama et al. (herein after merely “Tateyama”) in view of U.S. Patent No. 6,665,088 to Chiba et al. (hereinafter, merely “Chiba”) and further in view of U.S. Patent No. 6,172,765 to Kawamoto..

Applicants respectfully traverse these rejections.

Independent claim 1 is representative and recites, *inter alia*:

“wherein the control means transmits the picture data from the picture processing means only when the profile as a premise for transmitting the picture data is met.” (emphasis added).

The Office Action at page 4 points to Kawamoto (FIGS. 20-21 and col. 16, lines 40-53) for the above recited feature of claim 1. Kawamoto informs a user when it is necessary to execute resolution/tonality modification in a printing system. The user is offered a choice whether or not a printing job is to be continued.

The Office Action reads a feature into Kawamoto that is not disclosed. While it is clear from Kawamoto that a user can intervene to stop the printing job, it is also clear the user can

allow the job to continue (FIG. 21, S2103). In that instance, Kawamoto lowers the number of tones (FIG. 21, S2104) and printing continues (col. 16, lines 48-53).

Thus, in Kawamoto, printing can continue even when the resolution/tonality conditions are not met. This is distinguishable from the present invention that recites, “transmits the picture data . . . only when the profile as a premise . . . is met.”

While in Kawamoto a user could intervene to stop printing when the resolution/tonality is not met, that is not the only case. That is, the user could allow the printing to continue. In the present invention, picture data is transmitted only when the profile as a premise is met.

Tateyama and Chiba do not add the element missing from Kawamoto.

Claim 1 is patentable over the Tateyama, Chiba and Kawamoto because those references taken either alone or in combination do not teach or suggest each and every element recited in the claim.

For reasons similar or somewhat similar to those described above with regard to independent claim 1, independent claims 2-7 are also believed to be patentable.

CONCLUSION

Claims 1-7 are in condition for allowance. In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

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